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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,652

06/20/2006

Krishna Prasad Panje

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09/30/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

ZHOU, HONG

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

09/30/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/596,652	PANJE, KRISHNA PRASAD	
	Examiner	Art Unit	
	HONG ZHOU	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Preliminary Amendment

1. Applicant's amendment filed on June 20, 2006 has been entered. Claim 7 has been amended, and claim 10 has been cancelled. Claims 1-9 are pending in this application, with claims 1 and 8 being independent claims.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Schramm (WO 03/077087).

Regarding claim 1, Schramm discloses a method of controlling a portable user device (Fig. 1, 10), the method comprising the steps of:

- detecting a change of orientation of the portable user device (e.g., when the device is detected in a horizontal position shown in Fig. 2, see page 5, lines 12-18), and

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- selecting, upon said detection of the orientation change, at least one command from a list of commands (e.g., selecting a PDA mode of operation from a list of modes of operation, also see page 5, lines 28-29).

Regarding claim 2, Schramm discloses the method of claim 1, further comprising a step of determining a number of commands in the list, and /or a step of determining an order of the commands in the list (e.g., the device has a list of different modes of operation, such as a mobile telephone, a PDA, an audio/video player device, page 2, lines 23-27).

Regarding claim 3, Schramm discloses the method of claim 1, further comprising a step of determining a first command (e.g., a first mode of operation is operation as a mobile telephone, see page 2, lines 25-26), the first command being one of the commands to be selected first (e.g., when the device is detected in the upright position as shown in Fig. 1, a mobile telephone mode is selected from the list first, see page 4, lines 32-33).

Regarding claim 4, Schramm discloses the method of claim 3, further comprising a step of associating the command with a particular orientation of the device (e.g., a mobile telephone mode is associated with the upright position of the device, see page 4, lines 32-33), and a step of recognizing the particular orientation of the device and the associated command (e.g., when the device is detected in a the upright position, it operated a s a mobile telephone).

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Regarding claim 5, Schramm discloses the method of claim 3, wherein a change of location of the portable user device is additionally detected for enabling said selection of the first command (e.g., the device is switched to a mode of operation as a mobile telephone when both the position and the orientation of the device in space is detected, see Fig. 1 and page 2, lines 28-32).

Regarding claim 6, Schramm discloses the method of claim 1, further comprising a step of determining a direction of the selection from the list (e.g., an audio/video mode is selected from the command list when the device is detected moved from a direction in which the device is in an upright position as shown in Fig. 1 to a direction in which the device is in an upright position on its side as shown in Fig. 3, see page 4, lines 32-33 and page 5, lines 19-21).

Regarding claim 7, Schramm further discloses the method as claimed in claim 1, wherein the predefined command comprises at least one of:

- a command for enabling a corresponding user interface of the portable user device (see page 4, lines 28-29);
- a command for playback of media content (e.g., reproduce audio data stored in the device or audio/video data received via the antenna, see page 5, lines 21-25);
- a command for selecting a particular genre of media content;
- a command for receiving signals from a particular content provider (e.g., the portable device can be operated as a television for receiving signals from a broadcasting station, see page 3, lines 18-19); and

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- a command for selecting a particular signal to be transmitted.

Regarding claim 8, Schramm discloses a portable user device (see Fig. 1, 10) comprising:

- a detector (e.g., position sensors, page 6, line 25) for detecting a change of orientation of the portable user device (e.g., the sensor enables the device to determine its position and orientation in space, see Figs. 1, 2 and 3), and
- control means (e.g., the central processing unit of the device, see page 5, lines 28-29) for selecting at least one command from a list of commands (e.g., selecting a PDA mode of operation from a list of operation modes comprising a mobile phone, a PDA and an audio/video mode, see page 5, lines 5-27), upon said detection of the orientation change (e.g., when the device is in a horizontal position with its screen facing upward, see Fig. 2).

Regarding claim 9, Schramm further discloses the device of claim 8, comprising at least one of a portable computer, a remote control, a portable radio receiver, a portable TV receiver, a PDA, a mobile phone, or a game console (e.g., the device comprises a mobile telephone and a PDA, see page 4, lines 28-29).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Buxton et al. (US 6115025) discloses a computer having an orientation sensor for sensing position or orientation of the display, wherein the computer controls the user interface elements on the display according to the detected orientation changes.

Lands (US 6201554) discloses a portable display device having a sensor for sensing changes in tilt of the display device relative to a reference tilt and placing the display device in one of a plurality of modes of operation.

WO 02/052391 discloses a remote controller provided an orientation detector, wherein the remote controller can be switched between its modes of operation as a television remote control and a computer input device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HONG ZHOU whose telephone number is (571)270-5372. The examiner can normally be reached on Monday through Friday 8:30 A.M. - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571)272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. Z. /

Examiner, Art Unit 2629

/Amare Mengistu/

Supervisory Patent Examiner, Art Unit 2629